REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 10 and 20 have been amended. Claims 3-6, 8-9, 11, 13-19 and 21-28 were cancelled without prejudice. No new claims have been added. Therefore, claims 1-2, 7, 10, 12, 20 and 29-32 are presented for examination. The following remarks are in response to the final Office Action, mailed October 10, 2007.

35 U.S.C. § 103 Rejection

Claims 1-2, 10, 12, 20 and 29 and 31 are rejected under 35 U.S.C. §103(a) as being obvious over Huang, et al., U.S. Patent No. 6,571,245 ("Huang") in view of Margolus, et al., U.S. Patent Publication No. 2004/0143743 ("Margolus") and further in view of Chan, et al., U.S. Patent No. 6,748,538 ("Chan") or alternatively in further view of Bolosky, et al., U.S. Patent Publication No. 2002/0194484 ("Bolosky").

Claim 1, as amended, recites:

A method comprising:

generating client message digests at a client, the client message digests corresponding to client files stored on the client, wherein <u>each client message digest corresponds to each client file on the client, wherein the client message digests uniquely identify contents of the client files via unique fingerprints corresponding to the client files, wherein the unique fingerprints are generated based on the contents of the client files by performing a cryptographic hash of the contents of the client files</u>, wherein the client files are cataloged by the client message digests;

generating server message digests corresponding to server files, each server message digest corresponding to a server file on a server, wherein the server is coupled to the client over a network;

prior to synchronizing the client files with the server files, matching client file contents from the client message digests with server file contents from the server message digests to determine whether the client files and the server files are to be synchronized;

<u>synchronizing the client files and the server files, if the client file contents and the server file contents do not match, wherein the synchronizing of the client files and the server files includes</u>

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marking un-matching files of the client files and the server files to be copied to a repository for matching to be synchronized at a later time;

performing a post-synchronization match of the client message digests with the server message digests and, if the client message digests do not match the server message digests, detecting one or more client files corresponding to one or more unmatched client message digests, and tagging the one or more client files; and

re-synchronizing the client files and the server files, the re-synchronization including copying the one or more client files to the server such that the client message digests and the server message digests are matched.

(emphasis added).

Applicants respectfully disagree with the Examiner's characterization of the reference and the pending claims. For example, the *comparing of the two fingerprints* as disclosed in Margolus (para. 006) is **not the same** as having "the client message digests uniquely identify contents of the client files via unique fingerprints corresponding to the client files, wherein the unique fingerprints are generated based on the contents of the client files by performing a cryptographic hash of the contents of the client files" as recited by claim 1 (emphasis added). A unique fingerprint that is based on the contents of each client file and used to identifies the contents of each client file (claim 1) is **not the same** as "*a fingerprint [that] serves as a unique name for the file data*" as disclosed by Margolus (para. 006; emphasis added).

Huang discloses a "network of servers coupled to the Internet provides a virtual desktop in a virtual computing environment. A user is able to access the virtual desktop from a variety of systems through various communications links." (Abstract)

Margolus discloses "[i]n general, the invention features methods by which more than one client program connected to a network stores the same data item on a storage device of a data repository connected to the network. In one aspect, the method comprises encrypting the data item using a key derived from the content of the data item,

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determining a digital fingerprint of the data item, and storing the data item on the storage device at a location or locations associated with the digital fingerprint. In a second aspect, the method comprises determining a digital fingerprint of the data item, testing for whether the data item is already stored in the repository by comparing the digital fingerprint of the data item to the digital fingerprints of data items already in storage in the repository, and challenging a client that is attempting to deposit a data item already stored in the repository, to ascertain that the client has the full data." (Abstract)

Chan discloses a "platform featuring memory which contains a plurality of software components and a manifest which includes a digest of each of the plurality of the software components and a processor which is coupled to the memory. The processor executes a hash function to produce the manifest and to verify integrity of the plurality of software components by re-computing digests of the plurality of software components and comparing the computed digests with the digests of the manifest." (Abstract)

Bolosky discloses "[i]n a serverless distributed file system, the writer of a file can provide file authentication information to a verifying machine without having to compute a new digital signature every time a written file is closed. Periodically, the writer compiles a list of the hash values of all files that have been written over a recent interval, computes a hash of the list, and signs the hash. This signed list of hash values is known as a manifest, akin to a shipping manifest that enumerates the items in a shipment. The advantage of using a signed manifest is that the writer need only perform a single signature computation in order to authenticate the writes to multiple files, rather than having to compute a separate signature for each file, as it would if a signature were embedded in each file." (Abstract)

In contrast, claim 1, as amended, in pertinent part, recites "performing a post-

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synchronization match of the client message digests with the server message digests and, if the client message digests do not match the server message digests, detecting one or more client files corresponding to one or more unmatched client message digests, and tagging the one or more client files; and re-synchronizing the client files and the server files, the re-synchronization including copying the one or more client files to the server such that the client message digests and the server message digests are matched." Huang, Margolus, Chan and Bolosky, neither individually nor when combined in any combination, teach or reasonably suggest at least these features of claim 1.

Furthermore, for the sake of expediting issuance of this case, Applicants propose additional amendments to the pending claims. Claim 1, as amended, in pertinent part, further recites "synchronizing the client files and the server files, if the client file contents and the server file contents do not match, wherein the **synchronizing of the client files and the server files includes marking un-matching files of the client files and the server files to be copied to a repository for matching to be synchronized at a later time**". (emphasis added). Huang, Margolus, Chan and Bolosky, neither individually nor when combined in any combination, teach or reasonably suggest at least these features of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 10 and 20 include limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 10 and 20 and their dependent claims.

Claims 7, 30 and 32 are rejected under 35 U.S.C. §103(a) as being obvious over Huang, et al., U.S. Patent No. 6,571,245 ("Huang") in view of Margolus, et al., U.S.

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Patent Publication No. 2004/0143743 ("Margolus") and further in view of Chan, et al., U.S. Patent No. 6,748,538 ("Chan") or alternatively in further view of Bolosky, et al., U.S. Patent Publication No. 2002/0194484 ("Bolosky").

Claims 7, 30 and 32 depend from one of claims 1, 10 and 20 and thus include all the limitations of the corresponding base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 7, 30 and 32.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

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Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: October 29, 2007

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